

MEETINGS TO DATE 21  
NO. OF REGULARS 16  
NO. OF SPECIALS 5

LANCASTER, NEW YORK  
AUGUST 19, 1974

A Regular Meeting of the Town Board of the Town of Lancaster, Erie County, New York, was held at the Town Hall at Lancaster, New York, on the 19th day of August, 1974 at 8:00 P.M. and there were

PRESENT: LEO N. WEIMER, SUPERVISOR  
JOSEPH R. BARNHARDT, COUNCILMAN  
EDWARD A. BERENT, COUNCILMAN  
PETER J. BOLENDER, COUNCILMAN  
ARTEL J. METZ, COUNCILMAN

ABSENT: NONE

ALSO PRESENT: ROBERT P. THILL, TOWN CLERK  
DOMINIC J. TERRANOVA, TOWN ATTORNEY  
TIMOTHY J. DWAN, DEPUTY TOWN ATTORNEY  
EDWARD J. FERON, JR., TOWN ENGINEER  
JOHN F. LUME, HIGHWAY SUPERINTENDENT  
VICTOR H. OTT, POLICE CHIEF

COMMITTEE REPORTS:

Councilman Barnhardt, for the Street Lighting Committee, presented a proposal for improvement of street lighting on various streets within Consolidated Lighting District No. 1 of the Town of Lancaster, and on behalf of the Committee recommended that the Town Board authorize the improvements as contained in said proposal.

Councilman Berent, for the Police Committee, presented a report on the review of the recommendations of the Emergency Ambulance Service Advisory Board as presented in their memos dated June 19th and July 11th, 1974.

Councilman Berent requested a suspension of the necessary rule for the purpose of adopting the aforesaid Police Committee Report - SUSPENSION GRANTED.

THE FOLLOWING RESOLUTION WAS OFFERED BY  
COUNCILMAN BERENT, WHO MOVED ITS  
ADOPTION, SECONDED BY COUNCILMAN  
BARNHARDT, TO WIT:

WHEREAS, the Police Committee of the Town Board of the Town of Lancaster has reviewed the recommendations of the Emergency Ambulance Service Advisory Board as presented in their memos dated June 17th and July 11th, 1974, and

WHEREAS, the Police Committee has filed their review and recommendations with the Town Board of the Town of Lancaster on August 19th, 1974

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby accepts the report of the Police Committee of the Town Board and endorses it as its report, and

BE IT FURTHER

RESOLVED, that the Town Clerk be and is hereby directed to forward a copy of this resolution along with the Police Committee Report to the Secretary of the Emergency Ambulance Service Advisory Board.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN BARNHARDT VOTED YES

COUNCILMAN BERENT VOTED YES

COUNCILMAN BOLENDER VOTED YES

COUNCILMAN METZ VOTED YES

SUPERVISOR WEIMER VOTED YES

~~duky~~  
The resolution was thereupon unanimously adopted.

August 19, 1974

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCILMAN BARNHARDT , WHO MOVED  
ITS ADOPTION, SECONDED BY COUNCILMAN  
BOLENDER , TO WIT:

RESOLVED, that the minutes of the Regular Meeting of the Town Board  
held on August 5, 1974, as presented by the Town Clerk, be and hereby are  
approved.

The question of the adoption of the foregoing resolution was duly  
put to a vote on roll call, which resulted as follows:

COUNCILMAN BARNHARDT	VOTED	YES
COUNCILMAN BRENT	VOTED	YES
COUNCILMAN BOLENDER	VOTED	YES
COUNCILMAN METZ	VOTED	YES
SUPERVISOR WEIMER	VOTED	YES

~~study~~  
The resolution was thereupon unanimously adopted.

August 19, 1974

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCILMAN BOLENDER , WHO MOVED  
ITS ADOPTION, SECONDED BY COUNCILMAN  
METZ , TO WIT:

WHEREAS, by letter of July 12, 1974, James M. Kelleher, Town Justice of the Town of Lancaster, has advised the Town Board that because of a heavy court schedule, it will be necessary that the Court Room be reserved for said court schedule on September 3, 1974, and

WHEREAS, the regular meeting of the Town Board is scheduled to be held on September 3, 1974 at 8:00 o'clock P.M.,

NOW, THEREFORE, BE IT

RESOLVED, that the time of the regular meeting of the Town Board to be held on September 3, 1974 be and hereby is changed from 8:00 o'clock P.M. to 4:00 o'clock P.M. on said date.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN BARNHARDT	VOTED	YES
COUNCILMAN BERENT	VOTED	YES
COUNCILMAN BOLENDER	VOTED	YES
COUNCILMAN METZ	VOTED	YES
SUPERVISOR WEIMER	VOTED	YES

The resolution was thereupon ~~dearly~~ unanimously adopted.

August 19, 1974

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCILMAN METZ , WHO MOVED  
ITS ADOPTION, SECONDED BY COUNCILMAN  
BOLENDER , TO WIT:

WHEREAS, the Highway Superintendent of the Town of Lancaster has requested authorization to attend the New York State Association of Town Superintendents of Highway annual conference to be held in Rochester, New York, from September 24 to September 27, 1974, and

WHEREAS, it is deemed in the public interest that such attendance be authorized,

NOW, THEREFORE, BE IT

RESOLVED, that John Lume, Highway Superintendent of the Town of Lancaster, be and hereby is authorized to attend the New York State Association of Town Superintendents of Highway annual conference at Rochester, New York, September 24 to September 27, 1974, with reimbursement for actual and necessary expenses not to exceed \$200.00.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN BARNHARDT	VOTED YES
COUNCILMAN BERENT	VOTED YES
COUNCILMAN BOLENDER	VOTED YES
COUNCILMAN METZ	VOTED YES
SUPERVISOR WEIMER	VOTED YES

~~duly~~  
The resolution was thereupon unanimously adopted.

August 19, 1974

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCILMAN BOLENDER , WHO MOVED  
ITS ADOPTION, SECONDED BY COUNCILMAN  
METZ , TO WIT:

WHEREAS, by resolution of January 1, 1974, the Town Board of the Town  
of Lancaster adopted the Schedule of Holidays for the year 1974 for Town of  
Lancaster employees, and

WHEREAS, said resolutions as adopted set October 28, 1974 as the  
date for the observance of Veterans Day, and

WHEREAS, Chapter 6 of the Laws of 1974 amended the General Construction  
Law and Public Officers Law to provide for the observance of Veterans Day on  
November 11th,

NOW, THEREFORE, BE IT

RESOLVED, that so much of the resolutions of the Town Board adopted  
on January 1, 1974, setting forth the Schedule of Holidays for Town employees,  
designating October 28, 1974 for the observance of Veterans Day, be and hereby  
is rescinded, and

BE IT FURTHER

RESOLVED, that said resolutions be amended to provide for the  
observance of Veterans Day on November 11, 1974, and

BE IT FURTHER

RESOLVED, that the Town Clerk be and hereby is directed to inform  
all Department Heads of the effect of this resolution.

The question of the adoption of the foregoing resolution was duly  
put to a vote on roll call, which resulted as follows:

COUNCILMAN BARNHARDT	VOTED	YES
COUNCILMAN BERENT	VOTED	YES
COUNCILMAN BOLENDER	VOTED	YES
COUNCILMAN METZ	VOTED	YES
SUPERVISOR WEIMER	VOTED	YES

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The resolution was thereupon unanimously adopted.

August 19, 1974

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCILMAN BARNHARDT , WHO MOVED  
ITS ADOPTION, SECONDED BY COUNCILMAN  
BERENT , TO WIT:

WHEREAS, the Chief of Police has requested an amendment to the  
Vehicle and Traffic Ordinance of the Town of Lancaster, designated Chapter 46  
of the Code of the Town of Lancaster, to provide for installation of stop signs  
at certain intersections within said Town, and

WHEREAS, said Ordinance of the Town of Lancaster refers to the New  
York State Department of Transportation as "The New York State Traffic Commission",  
and

WHEREAS, the Police Committee of the Town Board and the Town Board  
deem it in the public interest that said Ordinance be amended to provide for  
the foregoing,

NOW, THEREFORE, BE IT

RESOLVED, that pursuant to Section 130 of the Town Law of the State  
of New York, a public hearing on the amendment to the Vehicle and Traffic  
Ordinance of the Town of Lancaster, County of Erie, State of New York,  
designated Chapter 46 of the Code of the Town of Lancaster, to provide for  
said amendments, will be held at the Town Hall, 21 Central Avenue, Lancaster,  
New York, on the 3rd day of September, 1974, at 4:00 o'clock P.M., Eastern  
Daylight Time, and the Notice of the time and place of such hearing be published  
in the Lancaster Enterprise-Journal, the official newspaper of the Town, and  
be posted on the Town Bulletin Board, which Notice shall be in the following  
form:

LEGAL NOTICE  
PUBLIC HEARING  
TOWN OF LANCASTER

LEGAL NOTICE IS HEREBY GIVEN that pursuant to the Town Law of the State of New York, and pursuant to a resolution of the Town Board of the Town of Lancaster, adopted on the 19th day of August, 1974, the said Town Board will hold a Public Hearing on the 3rd day of September, 1974, at 4:00 o'clock P.M., Eastern Daylight Time, to hear all persons upon the following amendments to the Vehicle and Traffic Ordinance of the Town of Lancaster, Erie County, New York, Designated Chapter 46 of the Code of the Town of Lancaster:

ARTICLE VIII - Stop and Yield Intersections - Section 46-8, Stop Intersections designated, is hereby amended by adding thereto:

<u>STREET</u>	<u>DIRECTION</u>	<u>ENTRANCE STREET</u>	<u>TRAFFIC STOPS</u>	<u>SIGN LOCATION</u>
Kennedy Court	East-West	Candice Court	Southbound	S.W. Corner
Town Line Road	North-South	Evergreen Drive	Eastbound	S.W. Corner

ARTICLE IX - Speed Regulations - Section 46.9, Maximum speed limits - is hereby amended by deleting therefrom:

"All speed limits in the Town of Lancaster shall be as prescribed by the New York State Traffic Commission pursuant to Section 1622 of the Vehicle and Traffic Law."

and by substituting therefor:

"All speed limits in the Town of Lancaster shall be as prescribed by the New York State Department of Transportation, pursuant to Section 1622 of the Vehicle and Traffic Law."

Full opportunity to be heard will be given to any and all citizens and all parties in interest.

TOWN BOARD OF THE  
TOWN OF LANCASTER

By: ROBERT, P. THILL  
Town Clerk

August 19, 1974

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN BARNHARDT	VOTED YES
COUNCILMAN BERENT	VOTED YES
COUNCILMAN BOLENDER	VOTED YES
COUNCILMAN METZ	VOTED YES
SUPERVISOR WEIMER	VOTED YES

The resolution was thereupon unanimously adopted.



THE FOLLOWING RESOLUTION WAS OFFERED  
 BY COUNCILMAN BOLENDER , WHO MOVED  
 ITS ADOPTION, SECONDED BY COUNCILMAN  
 METZ , TO WIT:

RESOLVED, that the following transfers within the General Fund of  
 the Town of Lancaster be effected:

	<u>Account</u>	<u>To</u>	<u>Amount</u>	<u>Account</u>	<u>From</u>	<u>Amount</u>
Recreation Administration Personal Services	7020.100		\$ 1000.00			
Recreation Adminis. Equipment				7020.200		\$ 1000.00
Recreation Administration Materials & Supplies	7020.490		7000.00			
Recreation Adminis. Equipment				7020.200		7000.00
Pool, Materials & Supplies	7180.490		2000.00			
Recreation Adminis. Equipment				7020.200		2000.00

The question of the adoption of the foregoing resolution was duly  
 put to a vote on roll call, which resulted as follows:

COUNCILMAN BARNHARDT VOTED YES  
 COUNCILMAN BERENT VOTED YES  
 COUNCILMAN BOLENDER VOTED YES  
 COUNCILMAN METZ VOTED YES  
 SUPERVISOR WEIMER VOTED YES

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 The resolution was thereupon unanimously adopted.

August 19, 1974

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCILMAN BARNHARDT, WHO MOVED  
ITS ADOPTION, SECONDED BY COUNCILMAN  
BERENT, TO WIT:

WHEREAS, the Lighting Committee of the Town Board of the Town of Lancaster has requested, and the New York State Electric & Gas Corporation has submitted, proposals for improvement of street lighting on various streets within Consolidated Lighting District No. 1 of the Town of Lancaster, and

WHEREAS, the Lighting Committee of the Town Board, after investigation, review and consideration, has recommended the said installations and removals as contained in said proposals,

NOW, THEREFORE, BE IT

RESOLVED, that the New York State Electric & Gas Corporation be and hereby is authorized to make the following installations and removals within Consolidated Lighting District No. 1 of the Town of Lancaster:

Penora Street (Village of Depew S. to Como Park Boulevard)

Install 4 - 7000 lumen mercury lamps @ \$45.00 ea. (Poles 40,42,44,46, Line 230)	\$ 180.00
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Remove 2 - 1000 lumen incandescent open lamps @ \$28.53 ea. (Poles 42,46, Line 230)	57.06
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Annual Increase	\$ 122.94
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Penora Street (Transit Boulevard S. to William Street)

Install 3 - 7000 lumen mercury lamps @ \$45.00 ea. (Poles 77-1/4,78-1/4, 79-1/4, Line 230)	135.00
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Install 1 - 11000 lumen mercury lamp @ \$55.00 (Pole 77, Line 230)	55.00
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Remove 1 - 1000 lumen incandescent open lamp @ \$28.53 (Pole 78-1/4, Line 230)	28.53
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Remove 1 - 2500 Lumen incandescent open lamp @ \$35.53 (Pole 77, Line 230)	35.53
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Annual Increase	125.94
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Shisler Road

Install 3 - 7000 lumen mercury lamps @ \$45.00 ea. (Poles 4,7,10, Line 366)	135.00
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Remove 3 - 1000 lumen incandescent lamps @ \$28.53 ea. (Poles 4,7,10, Line 366)	85.59
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Annual Increase	49.41
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Gunville Road

Install 8 - 7000 lumen mercury lamps  
@ \$45.00 ea. (Poles 36,38,40,42,44,  
49-1,51-1,54, Line 364)

\$ 360.00

Install 1 - 11000 lumen mercury lamp  
@ \$55.00 ea. (Pole 46, Line 364)

55.00

Remove 6 - 1000 lumen incandescent lamps  
@ \$28.53 ea. (Poles 35,40,42,44,49-1,  
51-1, Line 364)

171.18

Remove 1 - 6000 lumen incandescent lamp  
@ \$47.05 (Pole 46, Line 364)

47.05

Annual Increase

\$ 196.77

TOTAL ANNUAL INCREASE

\$ 495.06

The question of the adoption of the foregoing resolution was duly  
put to a vote on roll call, which resulted as follows:

COUNCILMAN BARNHARDT VOTED YES

COUNCILMAN BERENT VOTED YES

COUNCILMAN BOLENDER VOTED YES

COUNCILMAN METZ VOTED YES

SUPERVISOR WEIMER VOTED YES

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The resolution was thereupon unanimously adopted.

August 19, 1974

THE FOLLOWING RESOLUTION WAS OFFERED BY  
COUNCILMAN METZ, WHO MOVED ITS  
ADOPTION, SECONDED BY COUNCILMAN  
BOLENDER , TO WIT:

RESOLVED, that the following Building Permit Applications be and are hereby approved and the issuance of Building Permits be and are hereby authorized:

<u>NO.</u>	<u>NAME</u>	<u>ADDRESS</u>	<u>STRUCTURE</u>
93	Russell Caldwell	51 Main Street	EX. FR. SING. DWLG. PVT. GAR.
94	Charles Kirkman	5342 Genesee St.	ER. PARKING LOT
95	Gerald Phillips	454 Lake Avenue	ENC. FR. PORCH
96	Besroi Const.	5434 Genesee St.	REB. CON. BLK. WHSE
97	So. Forest Ass. Inc.	5777 Genesee St.	ER. FR. PATIO
98	John Ludwig	661 Ransom Road	ER. FR. PVT. GAR.
99	Walter Samulski	192 Seibert Road	ER. FR. SING. DWLG. PVT. GAR.
100	Wm. Bosse	582 Hall Road	ER. FR. BR. VEN. SING. DWLG. PVT. GAR.
101	John Hucul	5631 Genesee St.	ER. FR. PVT. GAR.
102	Rodney Fehr	167 Peppermint Rd.	ER. FR. BR. VEN. SING. DWLG. PVT. GAR.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN BARNHARDT	VOTED	YES
COUNCILMAN BERENT	VOTED	YES
COUNCILMAN BOLENDER	VOTED	YES
COUNCILMAN METZ	VOTED	YES
SUPERVISOR WEIMER	VOTED	YES

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The resolution was thereupon unanimously adopted.

August 19, 1974

THE FOLLOWING RESOLUTION WAS OFFERED BY  
COUNCILMAN BOLENDER, WHO MOVED ITS  
ADOPTION, SECONDED BY COUNCILMAN  
METZ , TO WIT:

RESOLVED, that the following Audited Claims be and are hereby ordered  
paid from their respective accounts:

<u>ACCOUNT</u>	<u>ORDER NUMBER</u>	<u>TOTAL AMOUNT</u>
*General Funds	No. 823 to 903 Incl.	\$ 487,446.74
Special District Funds	No. 61 to 66 Incl.	\$ 138,002.01
Part Town Funds	No. 67 to 70 Incl.	\$ 75,682.02
Highway Funds	No. 185 to 195 Incl.	\$ 106,386.62
Trust & Agency Funds	No. 31 to 32 Incl.	\$ 37.50
Ambulance Capital Reserve	No. 12 to 12 Incl.	\$ 6,900.00
Capital Fund	No. 18 to 25 Incl.	\$ 792,436.03

The question of the adoption of the foregoing resolution was duly put  
to a vote on roll call, which resulted as follows:

COUNCILMAN BARNHARDT	VOTED	YES
COUNCILMAN BERENT	VOTED	YES
COUNCILMAN BOLENDER	VOTED	YES
COUNCILMAN METZ	VOTED	YES
SUPERVISOR WEIMER	VOTED	YES

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The resolution was thereupon unanimously adopted.

August 19, 1974

STATUS REPORTS ON UNFINISHED BUSINESS:

1. Cayuga Creek Flood Program

On May 11, 1973 the Army Corps of Engineers notified the Town Board that they had completed their field inspection and that they are preparing a report which is scheduled to be completed by September, 1973.

2. Tax Abatement - Police Services - County Sheriff's Department

On September 27, 1973 the Assistant County Attorney transmitted to the Town of Lancaster a copy of the most recent Comptroller's opinions relative to this type of tax abatement.

The Town Attorney was directed to review the opinions and report back to the Town Board.

3. Traffic Study - Signalization - Bowen and William - Walden and Ransom

On May 20, 1974 the Town Clerk reported that the permits for the installation of these signals have been received and that the Chief of Police is currently working on the preparation of installation specifications.

4. Reduction in Speed Limits - Stony Road

On August 15, 1974 the State Department of Transportation denied the Towns request for a reduced speed limit on this road.

The Town Clerk was directed to remove this item from the future Agendas of the Town Board.

5. Reduction in Speed Limits - Westwood Road

On August 15, 1974 the State Department of Transportation denied the Towns request for a reduced speed limit on this road.

The Town Clerk was directed to remove this item from the future Agendas of the Town Board.

The Town Clerk was directed to add the following items to the future Agendas of the Town Board:

"Reduced Speed Limit - Seneca Place"

"Rezone Petition - St. Adalbert's R. C. Church"

PERSONS DESIRING TO ADDRESS TOWN BOARD:

Mr. & Mrs. John Mikula, 317 Seneca Place, Lancaster, New York, asked the Town Board if they would investigate the feasibility of lowering the speed limit on Seneca Place in accordance with the petition circulated by them which was Agenda Item No. 258.

The Supervisor informed Mr. & Mrs. Mikula that their petition has been received by the Town Board and referred to the Chief of Police for review and report back to the Town Board.

COMMUNICATIONS:DISPOSITION

247. Town Clerk to Town Board - Resume of actions taken in response to resolutions and directives - Meeting of August 5, 1974.	R & F
248. Supervisor to Erie County Legislature- Transmittal - Certified copy of resolution regarding abandonment of portions of Simme Road, Maple Road, and Kidder Road by County to Town and County takeover of Lake Avenue and Aurora Street Bridges.	R & F
249. Dept. Supt. of Schools to Town Attorney - Re: Bond issue to be voted on August 30, 1974.	Town Engineer Highway Supt. Highway Committee
250. Chief Ott to Town Board - Request - Authorization to maintain and erect Stop Sign at intersection of Evergreen Drive and Town Line Road.	Public Hearing R & F
251. Recreation Director to Town Board - Request - Transfer of funds.	R & F
252. Congressman Kemp to Town Clerk - Suggestion - Inquire of State and County for funds available for flooding problems on Ellicott Creek.	R & F
253. Erie County Government News Release to Erie County Dept. of Health - Notification - 2 day course on rescue and extrication principles for police, firemen, and rescue squad personnel - August 24 and 25 - Bowmansville Fire Hall.	Police Chief
254. Supervisor to Town Board - Notification - Investment of \$160,000.00 with Marine Midland Bank - Western on August 5, 1974 for total dollar earning of \$2,156.00.	R & F
255. Supervisor to Town Board - Notification - Investment of \$230,000.00 with Marine Midland Bank - Western on August 8, 1974 for total dollar earning of \$8,152.21.	R & F
256. Erie & Niagara Counties Regional Planning Board to Supervisor - Subject: Solicitation of Local Comments on a Federally-Aided Project - RPB-DA-RWF-22 Alden Water Supply Town District #2.	Planning Brd. Sec'y.
257. Erie County Water Authority to Supervisor - Transmittal - 1973 Annual Report.	R & F
258. Seneca Place Residents to Town Clerk - Request Caution Signs and Lower Speed Limit Signs on Seneca Place.	Police Chief Unfinished Business
259. State Transportation Dept. to Town Clerk - Notification - Denial of Towns request for reduction of speed limits on Stony Road and Westwood Road.	Roy Schneggenburger Nancy Fabiniak Robert Dubel

COMMUNICATIONS:

DISPOSITION

260. Town Attorney to Lancaster Village Mayor  
and Board -  
Re: Renewal of sewer contracts  
between Village and Town - Sewer  
District No. 2.

R & F

261. Town Clerk to Secretary, Town Planning  
Board -  
Re: Transmittal - Rezone petition -  
St. Adalbert's R. C. Church.

R & F

262. Town Historian to Town Board -  
Request installation of phone in  
Town Historians Office.

Supervisor

ADJOURNMENT:

ON MOTION OF COUNCILMAN BARNHARDT, AND SECONDED BY THE ENTIRE TOWN  
BOARD AND CARRIED, the meeting was adjourned at 8:30 P.M.

Signed

*Robert P. Thill*

Robert P. Thill, Town Clerk